

David M. Friedman (dfriedman@kasowitz.com)  
Michael C. Harwood (mharwood@kasowitz.com)  
Howard W. Schub (hschub@kasowitz.com)  
KASOWITZ, BENSON, TORRES & FRIEDMAN LLP  
1633 Broadway  
New York, New York 10019  
Tel: (212) 506-1700  
Fax: (212) 506-1800

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADELPHIA RECOVERY TRUST,	:	No. 05 Civ. 9050 (LMM)
	:	
Plaintiff,	:	
	:	
- against -	:	
	:	
BANK OF AMERICA, N.A., <i>et al.</i> ,	:	
	:	
Defendants.	:	
-----X		

**NOTICE OF THE ADELPHIA RECOVERY TRUST'S MOTION WITH RESPECT  
TO SETTLEMENT AGREEMENT WITH THE NON-AGENT LENDERS AND  
ADDITIONAL NON-AGENT LENDERS AND DISMISSAL OF CLAIMS**

PLEASE TAKE NOTICE that the Adelpia Recovery Trust (the "Trust"), by its undersigned counsel, has filed a Motion With Respect To Settlement Agreement With The Non-Agent Lenders And Additional Non-Agent Lenders And Dismissal Of Claims (the "Motion"). Pursuant to the Settlement Agreement, the claims by the Trust in the above-referenced action, with the exception of certain claims and defenses, will be settled by mutual release of all claims between the Trust and the parties identified as "Non-Agent Lenders" and "Additional Non-Agent Lenders" in the Settlement Agreement, in accordance with the terms and conditions set forth in

the Settlement Agreement.

PLEASE TAKE FURTHER NOTICE THAT:

(1) objections, if any, to the Motion must: (i) be in writing; (ii) state the name and address of the objecting party; (iii) state with particularity the basis and nature of the objection; and (iv) be filed, together with proof of service, with the Court, and served upon the Trust's undersigned counsel, the Non-Agent Lenders' counsel Richard L. Wynne, Jones Day, 555 South Flower Street, Los Angeles, California 90071, and the Additional Non-Agent Lenders' counsel Melissa D. Ingalls, Kirkland & Ellis LLP, 333 South Hope Street, Los Angeles, CA 90071 by February 3, 2011;

(2) if objections are received, a hearing (the "Hearing") will be scheduled on a date to be determined before the Honorable Lawrence M. McKenna in the United States District Court, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007; if no objections are received, the Court may take action on the Motion without a hearing;

(3) you need not appear at the Hearing, if one is scheduled, if you do not object to the relief requested in the Motion; and

(4) if you fail to respond in accordance with this notice by February 3, 2011, the Court may enter the Order With Respect To Settlement Agreement With The Non-Agent Lenders and Additional Non-Agent Lenders, annexed to the Motion as **Exhibit A**, without further notice or hearing.

Dated: January 13, 2011  
New York, New York

Respectfully submitted,

KASOWITZ, BENSON, TORRES  
& FRIEDMAN LLP

JENNER & BLOCK LLP

By:

/s/ Howard W. Schub

David M. Friedman  
(dfriedman@kasowitz.com)  
Michael C. Harwood  
(mharwood@kasowitz.com)  
Howard W. Schub  
(hschub@kasowitz.com)  
1633 Broadway  
New York, New York 10019  
(212) 506-1700  
(212) 506-1800 (facsimile)

*Co-Counsel to the Adelpia Recovery  
Trust*<sup>1</sup>

919 Third Avenue  
New York, New York 10022  
(212) 891-1600

Jerold S. Solovy  
(jsolovy@jenner.com)  
353 N. Clark Street  
Chicago, Illinois 60654-3456  
(312) 222-9350  
(312) 527-0484 (facsimile)

*Co-Counsel to the Adelpia Recovery  
Trust*<sup>2</sup>

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<sup>1</sup> Counsel for Adelpia Recovery Trust as to all claims except for claims against defendants Amaranth Fund, L.P.; Avenue Special Situations Fund II, LP; Bear, Stearns & Co., Inc.; Bear Stearns Credit Products; Bear Stearns Investment Products; Cedarview Opportunities Master Fund; Contrarian Funds, LLC; Gabriel Capital LP; Hartford Floating Rate Fund; Latigo Master Fund, Ltd.; Longacre Capital Partners; Longacre Master Fund, Ltd.; MetLife Insurance Co. of Connecticut; New York Life Insurance Co.; New York Life Insurance and Annuity Corporation; Nomura Bond & Loan Fund; Royal Bank of Canada; SPCP Group; Satellite Senior Income Fund, LLC; and Satellite Senior Income Fund II, LLC.

<sup>2</sup> Counsel for Adelpia Recovery Trust as to all claims except for claims against defendants Lehman Brothers Holdings Inc.; Lehman Commercial Paper Inc.; Lehman Syndicated Loan Funding Trust; Nuveen Floating Rate Income Fund; Nuveen Senior Income Fund; Nuveen Floating Rate Income Opportunity Fund; and National City Bank of Pennsylvania.